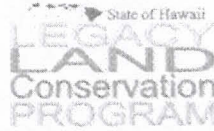




**THE TRUST FOR PUBLIC LAND
LEGACY LAND CONSERVATION PROGRAM
APPLICATION**

FOR PAUKŪKALO COASTAL WETLAND

SEPTEMBER 16, 2009



GRANT APPLICATION FORM 2009-2010

Legacy Land Conservation Program Department of Land and Natural Resources (Revised July 2009)

Please download Grant Application Instructions, available at <http://hawaii.gov/dlnr/dofaw/lhcp>, prior to completing this Grant Application Form.

Signed forms and Required Preliminary Documentation must be sent by email in Portable Document Format (PDF) to molly.e.schmidt@hawaii.gov by September 16, 2009, 4:30 p.m., Hawaii-Aleutian Standard Time (HST).

The Grant Application Form and Required Preliminary Documentation must be postmarked or hand-delivered by September 16, 2009, 4:30 p.m. HST to:

Legacy Land Conservation Program
Hawaii Department of Land and Natural Resources
1151 Punchbowl Street, Room 325
Honolulu, HI 96813

Please see the Grant Application Instructions for details, available at: <http://hawaii.gov/dlnr/dofaw/lhcp>.

ATTENTION: Due to the fiscal situation it is uncertain if any awards will be issued in upcoming year, however, the Department of Land and Natural Resources feels it is worthwhile to proceed with a request for applications as that situation is evolving. This request for applications may be cancelled and any or all proposals rejected in whole or in part, without liability, when it is determined to be in the best interest of the State. Final awards are subject to the availability of funds and are also subject to budget restrictions and procedures implemented under the Fiscal Year 2010-2011 Executive Biennium Budget Instructions.

Project Title: Paukukalo Coastal Wetlands

Applicant: The Trust for Public Land

Project Location (Island and District): Paukukalo, Wailuku, Maui

APPLICATION PACKAGE CHECKLIST (check the boxes if the following items are attached and provide an explanation if they are not):

- ☒ Letter from current landowner acknowledging project and indicating willingness to sell
- ☒ A preliminary title report
- ☒ A general location map and a parcel map
- ☒ At least one (1), but no more than three (3) photos of the property
- ☒ Any concise and relevant appended/supplementary materials (optional)
- ☒ FOR NONPROFIT LAND CONSERVATION ORGANIZATIONS
 - o Copy of mission statement and
 - o IRS 501 (c) (3) or (c) (1) non-profit status determination letter
- ☒ WHERE INTENDED HOLDER OF PROPERTY IS OTHER THAN APPLICANT:
 - o the intended holder must sign this form as a co-applicant and provide any forms required of applicants AND provide a letter indicating willingness to participate

CERTIFICATION:

I/We hereby certify that the statements and information contained in this Legacy Land Conservation Program Grant Application, including all attachments, are true and accurate to the best of my/our knowledge and understand that if any statements are shown to be false or misrepresented, this application may be rejected.

Lea Hong, The Trust for Publicland
Name* (please type)

Lea Hong
Signature* (sign after printing)

Hawaiian Islands Program Director
Title

9/16/2009
Date

Co-applicant (if applicable):

Kaulana H. R. Park
Name* (please type)

[Signature]
Signature* (sign after printing)

Chairman, Hawaiian Homes Commission
Title

9/16/2009
Date

* Must be authorized to sign on behalf of agency or organization.

SECTION A. APPLICANT INFORMATION

Agency / Organization Name	The Trust for Public Land
Mailing Address (PO Box or Street, City, State, Zip)	212 Merchant St. Suite 320, Honolulu, HI 96813
Contact Person and Title	Kawika Burgess, Native Lands Program Coordinator
Phone Numbers (best contact, work, cellular)	524-8562
Email Address	kawika.burgess@tpl.org
Agency / Organization Website (include URL to any specific pages regarding this project)	www.tpl.org/hawaii

SECTION B. TYPE OF ACQUISITION

1. We are requesting funding for the acquisition of:

Fee simple interest in private land	<input checked="checked" type="checkbox"/>
Permanent conservation or agricultural easement	<input type="checkbox"/>

2. We intend for the property interest to be held by:

State of Hawaii	<input checked="checked" type="checkbox"/>
County of:	<input type="checkbox"/>
Other (indicate entity)*:	<input type="checkbox"/>

* If the intended holder of the interest is an entity other than the applicant, please attach a letter from this entity acknowledging its participation in the project.

SECTION C. DESCRIPTION OF LAND (SUMMARY)

1. Location of property (please be as specific as possible; for example, "Moloaa, makai, located on the north shore of Kauai"):

'Ili of Paukukalo in the ahupua'a of Wailuku and Wai'ehu, in the district of Wailuku, island of Maui.

2. Tax Map Key(s) (use the following format: "(4) 5-6-007:008"):

(2) 3-3-001-001

3. Size of property (indicate acreage or square footage):

63.701 acres

4. What types of easement(s) are located on the property? (for example: vehicular, pedestrian for beach access, utility, etc.):

The property contains several easements for ingress, egress, and drainage.

5. Does the seller have full undivided fee ownership of property ("clear title")? If not, please explain. Attach a preliminary title report (see instructions).

North Shore at Wai'ehu has full undivided fee ownership of the property

6. Will the public have access to property or easement? ☒ Yes ☐ No

7. Please provide the following land use information:

State Land Use Designation	Urban
County Zoning	Residential
County General /Community Plan Designation	Agricultural District
Flood Zone Designation	C, A4, V23

8. Is property located in a Special Management Area? ☒ Yes ☐ No

9. Please describe any structures (e.g. size, location, use, condition, etc.) on the property.

The property currently has an old home that is in tear down condition. There is also a mobile trailer on the property.

10. What kinds of land uses/activities are underway on the property? Please describe land uses/activities underway on the subject property and on bordering properties.

The property has been used for generations for ocean and coastal access, fishing, gathering, and recreation. The Neighborhood Place of Wailuku currently leases 8 of the 64 acres for a cultural and educational programs.

11. What types of surveys or documented analyses, if any, have been conducted regarding the property (e.g. environmental assessments, cultural assessments, environmental impact statements, biological field surveys, archeological surveys, Special Management Area permit applications)?

The property has several reports and studies including a Cultural Impact Assessment, Archaeological Inventory Study, Environmental Assessment, Shoreline Study, Wetland Determination, and Botanical Survey.

SECTION D. PRESERVATION PURPOSES

1. We propose that the property be acquired for the following preservation purpose(s) (check all that apply, and then provide more information regarding the preservation purposes in numbers 2 through 10 below for checked areas only):

Watershed protection	<input checked="" type="checkbox"/>	Parks	<input checked="" type="checkbox"/>
Coastal areas, beaches and ocean access	<input checked="" type="checkbox"/>	Natural areas	<input checked="" type="checkbox"/>
Habitat protection	<input checked="" type="checkbox"/>	Agricultural production	<input checked="" type="checkbox"/>
Cultural and historical sites	<input checked="" type="checkbox"/>	Open spaces and scenic resources	<input checked="" type="checkbox"/>
Recreational and public hunting areas	<input checked="" type="checkbox"/>		

2. Watershed Protection: Please describe the watershed function of this property: (elevation gradient, type/condition of vegetation, presence of perennial or ephemeral streams or drainage channels, other water bodies, etc.).

The protection of this property is important for the protection of the water quality of the Wai'ehu and Wailuku watershed and coastal areas. The property is situated near sea level on Maui's North-East coastline.

The property is bordered by the perennial streams of 'lao to the South and Wai'ehu to the North, and also contains several springs and wetlands. These wetlands provide essential environmental services including serving as a buffer during storms and high surf, as well as a filter for sediment and run-off during heavy rains and flooding. The property contains several native coastal plants including naupaka kahakai, pohuehue, and akulikuli. The wetlands also include hau, and the native 'ae'ae. The property fronts the beautiful Ka'ehu Bay which is a traditional fishing area and a popular surfing area for residents. The 2006 Strategic Plan for Wetland Conservation in Hawai'i recommended action suggested the long-term protection and eventual restoration of this property through acquisition or conservation easement.

(character limit 1,200)

3. Coastal areas, beaches and ocean access: Please describe the environmental significance of this property (e.g. length of shoreline, intertidal areas, type/amount of beach, coastal strand vegetation, extent of erosion, etc.). Please describe the type and extent of ocean access.

The 64-acre coastal property has been used by generations of Hawaiian families and the public for fishing, surfing, ocean gathering, and recreation. There is over 4,000 feet of shoreline, and although much of the vegetation on the property today is introduced, there are still several species of native plants including the naupaka kahakai, pohuehue, and 'ae'ae. The property contains marsh lands, sand dunes, cobble and sandy beaches, shrubs and hau groves. Archaeological studies indicate that the property traditionally had many lo'i as well as fishponds. Surveys and interviews of local residents also document the native 'auku'u waterbird as well as nesting of sea turtles.

(character limit 1,200)

4. Habitat Protection: Please describe the types of habitat present within the property, including the types of wildlife species that use the area and the elevation range of the property. Describe the condition of habitat, including the presence of both threatened & endangered and invasive species. Describe the size/diversity of wildlife populations. Note if the habitat is formally designated (e.g. critical habitat, wildlife refuge, etc.). Note also the condition and extent of wildlife habitat on adjacent lands.

According to the Wetland Determination study completed by Anna Palomino, "This wetland has significant value in terms of wildlife habitat, cultural resources, open space, sediment filtration and the many other benefits wetland habitats provide." Early surveys of the property document the native wetland heron, the auku'u, and residents of the area have witnessed sea turtle nesting on the beach. The green sea turtle is listed as a threatened species by the Department of Land and Natural Resources and the US Fish and Wildlife Service. Although the wetland is degraded and a majority of the vegetation is non-native, there are several species of indigenous plants including 'akulikuli, 'aki'aki, koali 'awa, pa'uohi'iaka, naupaka kahakai, 'ilima, and 'ae'ae. The estuarine areas of the Wai'ehu and 'lao streams also contain native species including the hapawai, 'opae 'oeha'a, 'o'opu akupa, 'o'opu nopili, and 'aholehole. The Hawaii Stream Assessment rated the resource value of both the 'lao and Wai'ehu Streams as "substantial."

(character limit 1,200)

5. Cultural and historic sites: Please identify the presence, location and condition of cultural or historic structures or sites (e.g., heiau, lo'i, burials, burial caves, dunes, or remnant walls) on the property. Identify any sites that are listed on or eligible for the National Register of Historic Places.

According to the Cultural Impact Assessment done by Kalei Tsuha, the area of Paukukalo was traditionally an area reserved for the ali'i (chiefs), kahuna nui (high priests), pu'ali (warriors), and was the centralized area that a majority of the political and religious activities occurred. The property is located directly makai of two of the temples of the island of Maui, Haleki'i and Pihana, which today are designated as a State Monument. Samuel Kamakau wrote that Kahekili lived at Paukukalo and Wailuku with his chiefs, companions, favorites, and two regiments of warriors, the Kaniu'ula and Kepo'ouahi. According to an Archaeological Inventory Survey conducted by Archaeological Services Hawaii, there were 41 archaeological sites identified on the property. These sites include lo'i terraces, 'auwai, habitation sites, walls and enclosures, a possible remnant of a fishpond, and burials. The property is important and significant for the continuation of customary and traditional fishing and gathering practices of families that access the ocean and have been living in the area for generations. Kupuna of the area recall when the area was full of cultivated taro fields.

(character limit 1,200)

6. Recreational and public hunting areas: Please identify ongoing types and levels of public recreational activity on the property and describe the level of public access. Please identify the types of activities anticipated after acquisition of the property. Is public hunting currently underway on the property? Is the property within a Game Management Area?

The property has been used by generations of Hawaiians for recreational access for surfing, swimming, and diving, as well as subsistence fishing and gathering. Many traditional fishing methods continue to be practiced at Ka'ehu Bay, including throw net, spear fishing, and pole fishing, and the gathering of limu, and shellfish. There are popular surf spots located in Ka'ehu Bay directly off-shore from the property. Nearby residents and neighbors to the property walk to the property and access the beach through current easements. Passive recreational activities include walking and picnicking. The Neighborhood Place of Wailuku currently leases 8 acres on the 64 acre property and provides educational and cultural programs to Maui youth and their families.

(character limit 1,200)

7. Parks: Is the parcel within or adjacent to a Federal, State or County Park? If so, please describe.

The property is not currently within or adjacent to a Federal, State, or County Park, however, acquisition of the property by the Department of Hawaiian Homelands (DHHL) to keep the property in open space and provide for recreational and cultural uses by the community will greatly enhance the area. The Maui County Department of Parks and Recreation has indicated strong support for this acquisition by DHHL. This property provides one of the few if not the only coastal access and open space areas on the shoreline of Paukukalo. As stated previously, the property is currently used by area residents to access the beach for fishing, surfing, swimming, walking, diving, and gathering. Protection of the property from inappropriate development, and adding the property to the Paukukalo community as a park for recreational and cultural uses is a primary purpose of this project.

The property is clearly a gem for the community of Paukukalo and surrounding areas. .

(character limit 1,200)

8. **Natural Area:** Please describe the natural resources on the property (e.g. streams, estuaries, anchialine ponds, dunes, caves, forest, etc.). Is the property within or adjacent to a formally designated natural area (e.g., Natural Area Reserve, Refuge, Sanctuary, etc.)?

The Paukukalo Coastal Wetland property has many natural resources. The property is bordered by the perennial 'lao and Wai'ehu Streams. There is also a third stream referred to as 'A'ole Stream which is a spring fed stream near the center of the property. There are several springs and wetlands throughout the property which today are overgrown with introduced plants, however, at one time were pristine fishponds and lo'i. Native plants on the property include 'ae'ae in the marsh areas, as well as naupaka kahakai along the shore, 'akulikuli, 'aki'aki, pohuehoe, and pa'uohi'iaka. The Neighborhood Place of Wailuku as restored much of the 8 acres that it currently leases on the property, clearing out the weeds and brush from to intermittent springs, and planting native plants and vegetation. The rest of the property contains coastal sand dunes, marshy areas, hau groves, and coastal trails. The estuary areas near the Wailuku and 'lao Streams provide spawning grounds for native fish. Ka'ehu Bay also contains areas of limestone and coral reef providing habitat for fish and sea life.

(character limit 1,200)

9. **Agricultural Production:** Please describe the types and extent of agricultural activities underway on the property or adjacent to the property. Note if there is a record of past agricultural activities.

In traditional times the property contained extensive taro fields and fish ponds. Located within Na Wai 'Eha, this was once the largest continuous area of wetland lo'i in the islands. The Neighborhood Place of Wailuku (NPW) has restored two of the spring fed taro lo'i on the area which they currently lease. NPW has a native plant nursery and has established a community garden area to teach subsistence farming to area youth and families. With the recent ruling in the Na Wai 'Eha case, additional water will be restored to the 'lao and Wai'ehu Streams, providing additional opportunity to restore the lo'i terraces.

(character limit 1,200)

10. **Open spaces or scenic resources:** Please describe the open space values of the property. Is the property readily visible from surrounding and/or distant areas? Describe the view plane from the property. Does the property itself have unusual or exceptional value as a site from which to view and appreciate scenic vistas?

The property contains tremendous open space and scenic resources. This property is the only remaining coastal open space in the residential neighborhoods and developments of Paukukalo. There is a beautiful view of the property from the Haleki'i and Pihana State Monument. The property provides a

picturesque view of Ka'e'hu Bay. The property also provides beautiful views of the West Maui Mountains and the valley of 'Iao. Another of the unique views that the property provides is that of the surf breaks directly off shore in Ka'e'hu Bay. Likewise the property provides a pleasant open space and natural area when viewed from the ocean as opposed to the urban developments surrounding the property.

(character limit 1,200)

SECTION E. ENVIRONMENTAL HAZARDS

1. If there are suspected or potential hazards associated on or related to this property, please check all the following that apply and describe each:

There are no known hazards.	<input checked="" type="checkbox"/>
The property is a designated brownfield (former industrial use).	<input type="checkbox"/>
There has been illegal dumping /hazardous materials.	<input type="checkbox"/>
The property is prone to flooding or is a natural drainage basin.	<input type="checkbox"/>
The property is prone to falling rocks or mudslides.	<input type="checkbox"/>
The features of the property's surface are potentially hazardous (i.e. uneven, rocky, or fallow terrain, overgrowth of flora, etc.).	<input type="checkbox"/>
Other suspected or potential hazards:	<input type="checkbox"/>

SECTION F. FUNDING REQUEST

1. What is the fair market value of the fee simple property?

\$ 3,000,000

2. What is the fair market value of the conservation / agricultural easement?

\$

3. How were the estimated values determined?

	<u>Fee Simple</u>	<u>Easement</u>
Appraisal Report (indicate date & author of report)	See attached explanation	
Current County Tax Assessed Value	\$2,043,900	
Other (please specify)		

4. Is the property or easement currently listed for sale or has it been listed for sale within the past two years?

- ☒ Yes. Asking price:
- ☐ No.

5. Please provide an estimated timeline for acquisition (note that funding will expire two years from date of award agreement):

09/09: Legacy Land Conservation Program Application
 03/10: Coastal and Estuarine Land Conservation Program Application
 08/10: Request funding from Maui County Open Space Fund
 7/11: Release of funding
 8/11: Closing

(character limit 500)

6. What is the total estimated cost for acquisition? Please use the table below:

Estimated Acquisition Cost Worksheet				
Expense Item	Estimated Cost	% of Costs to be Paid by:		
		Land Owner	Applicant	Other (specify)
Appraisal report	\$15,000	50	50	
Title report	\$300		100	
Property survey				
Subdivision				
Environmental investigation	\$7,000		100	
Other:				
Other:				
Other:				
Other:				
Subtotal	\$ 22,300			
Estimated Value of Property	\$ 3,000,000			
TOTAL ANTICIPATED COST OF ACQUISITION	\$ 3,022,300	%	%	%

7. What are the anticipated matching funds? Please use table below:

Estimated Matching Funds Worksheet			
Type	\$ Amount	Source of Funds or Basis of Valuation	Status* (Secured/Pending)
Private funds	\$22,300	TPL/North Shore at Waiehu	Pending
Public/other funds	1,250,000	CELCP	Pending
Public/other funds	1,250,000	Maui County	Pending
Public/other funds			
Public/other funds			
Land value donation (can include bargain sale reduction in price from fair market value in this category)			
In-kind contributions			
TOTAL MATCHING FUNDS	\$ 2,522,300 (84)%		
AMOUNT BEING REQUESTED FROM THE LEGACY LAND PROGRAM	\$ 500,000 (16)%		
TOTAL ANTICIPATED COST OF ACQUISITION	\$ 3,022,300 (100)%		

* Please describe the current status of any pending funds and indicate the date that any pending funds will become available if they are awarded:

2010 - 2011 Applications for the Coastal and Estuarine Land Conservation Fund should be due approximately March 2010.
2010 - 2011 Requests for the Maui County Open Space Fund would need to be submitted by August 2010.

(character limit 500)

SECTION G. PROJECT DESCRIPTION

Please attach answers to the questions below on a separate sheet and attach it to the application form. Make sure to number your answers so they correlate with the numbered questions below. Please limit the length of your answers to Questions 1 and 2 to one single-spaced page, Times New Roman 12-point font, 1 inch margins.

1. Briefly describe the overall significance and importance of the property and/or easement.
2. Identify any conditions that threaten the significance and importance of the subject site. This may include anticipated uses of neighboring lands, environmental conditions (e.g. sedimentation, runoff, invasive species, conflicting activities, etc.).

SECTION H. STEWARDSHIP AND MANAGEMENT

Please attach an answer to the question below on a separate sheet and attach it to the application form. Please limit your answer to Question 3 to two single-spaced pages, Times New Roman 12-point font, 1 inch margins.

3. Briefly describe the proposed use of the acquired property or easement including any short and long term goals, resource management plan, sources of start up funding, operation and maintenance funding. Disclose any intended commercial uses. Will any intended activities on the land require permits? What entity (if not the applicant) will manage the property/easement? Please describe the expertise and experience of the managing entity. How will any cultural resources that are present integrate into the overall preservation/protection and use of the property?

SECTION I. CULTURAL AND HISTORICAL SIGNIFICANCE

Please attach an answer to the question below on a separate sheet and attach it to the application form. Please limit the length of your answer to Question 4 to two single-spaced page, Times New Roman 12-point font, 1 inch margins.

4. Briefly describe the cultural significance and historic uses of the property. As guidance, please consider the following information:
 - a. Name of area; translation and possible interpretation;
 - b. Known pre-contact history and land uses; and
 - c. Neighboring areas/ahupua`a information and its relationship to the site being considered.

The following resources are available to assist in research: Office of Hawaiian Affairs (OHA), State of Hawaii Historic Preservation Division (SHPD), University of Hawaii Center for Hawaiian Studies, Kamehameha Schools/Bishop Estate, Bishop Museum.

Section G. Project Description

1. Briefly describe the overall significance and importance of the property.

The Paukūkalo Coastal Wetland property is a very significant and important property. The property is bordered by the 'Īao and Wai'ehu Streams, two of the legendary waters of Nā Wai 'Ehā. There is substantial documentation describing this area as the power seat of the island of Maui during the reign of the ruling chiefs. According to Kamakau, Kahekili, the ruling chief of Maui during the mid to late 1700's, lived at Pihana and at Paukūkalo in Wailuku with the chiefs, his favorites, close friends, and his warriors the Kaniu'ula and Kepo'ouahi. The property contains numerous cultural sites including ancient lo'i terraces, 'auwai, habitation areas, walls, enclosures, and burials. In traditional times the area was heavily planted in taro, and contained fishponds.

Today the property is one of if not the only remaining coastal property in the area of Paukūkalo. The area provides critical ocean access and natural resources for traditional and cultural practices for the Hawaiians and local families of the area. Oral histories document how the property has been used for many generations for fishing, surfing, diving, swimming, and gathering traditional foods and materials. Offshore of the property are popular surfing spots famed since the days of ruling chiefs.

The wetland, streams, and springs, provide one of the few remaining wetlands that has not been completely altered or paved over. These streams, and springs are home to dozens of species of native flora and fauna, and provide critical estuary areas necessary for the spawning of fish. There have been recent reports of the nesting of the threatened green sea turtle on the property.

An 8-acre portion of the property is currently used by the Neighborhood Place of Wailuku (NPW) to provide cultural programs for at risk youth and their families. NPW has restored two of the springs on the property and cleared out the weeds and invasive species to replant taro. NPW has built a native plant nursery as well as a community garden area to teach backyard farming, and promote self-sufficiency and food security. The program has served hundreds of Maui youth and their families.

Acquisition of the property by the Department of Hawaiian Homelands (DHHL) will allow the property to be a great community asset for the island of Maui.

2. Identify any conditions that threaten the significance and importance of the subject site.

The current landowners have sought to develop luxury oceanfront residences on the property. A master plan for the property includes over 140 residences, including 18 oceanfront luxury homes and 36 luxury condominiums.

Urban development of the property would be a substantial loss of the significant cultural and natural resources, recreational resource, coastal access, and traditional and customary practices of the Native Hawaiian community.

Acquisition by DHHL will ensure that the property is used to fulfill the interest of the community, protecting the natural and cultural resources for generations to come.

Section H. Stewardship and Management

3. Briefly describe the proposed use of the acquired property or easement including any short and long term goals, resource management plan, sources of start up funding, operation and maintenance funding. Disclose any intended commercial uses. Will any intended activities on the land require permits? What entity (if not the applicant) will manage the property/easement? Please describe the expertise and experience of the managing entity. How will any cultural resources that are present integrate into the overall preservation/protection and use of the property?

The Department of Hawaiian Homelands (DHHL) will acquire the fee simple title to the 64-acre property. The mission of DHHL is "to manage the Hawaiian Home Lands trust effectively and to develop and deliver lands to native Hawaiians. We will partner with others towards developing self-sufficient and healthy communities."

DHHL owns and manages over 200,000 acres of land throughout the Hawaiian Islands. This 64-acre property will become an important part of DHHL's land holdings on the island of Maui. The Paukūkalo Coastal Wetland property is located adjacent to the Paukūkalo Hawaiian Homestead Community. The Paukūkalo Hawaiian Homestead is the first and oldest Hawaiian Homestead community on the island of Maui. The homestead is approximately 61 acres and is made up of approximately 182 single-family homes. The Wai'ehu Kou Hawaiian Homestead Communities are also located nearby. Wai'ehu Kou was developed in four phases, with Phase I completed in 1993, and Phase IV breaking ground in 2006.

DHHL works with its homestead communities and neighboring businesses, other public agencies, and non-profit service providers to develop Regional Plans for its homestead communities. The Wai'ehu Kou/Paukūkalo Regional Plan was last completed in September 2006, and DHHL is currently in the process of updating each its regional plans. Future plans and use of the Paukūkalo Coastal Wetland will be part of the next regional planning process for Wai'ehu/Paukūkalo.

Acquisition of the Paukūkalo Coastal Wetland property was discussed at a preliminary planning meeting with the leadership of the Hawaiian Homestead Associations representing each of the Hawaiian Homestead Associations in the region including, Paukūkalo, Wai'ehu I, Wai'ehu II, Wai'ehu III, and Wai'ehu IV. The leadership of these Hawaiian Homestead Associations expressed support of the project.

The Neighborhood Place of Wailuku (NPW) currently leases 8 acres of the 64-acre property. NPW is a non-profit social service agency whose mission is to "prevent child abuse and neglect by building strong roots in the 'ohana and in the community by promoting safe and nurturing environments for our children and families." NPW currently uses the property as a base for its Cultural Strengthening, and Land Stewardship Programs.

The goal of the Cultural Strengthening Program is “to instill hope in families through culturally-based, hands-on activities, that strengthen the families ability to ola (live), honor our culture and adopt to the demands of modern society.”

The Land Stewardship Program “a program on an 8-acre parcel located in Paukūkalo fronting Ka‘ehu Bay, a place where community and families can gather to participate in experiential learning opportunities that enhance and promote self-sufficiency and family unity.” Two key principles that are part of the Land Stewardship Program are leadership and sustainability.

NPW has been leasing the land at Paukūkalo since 2006. In that time, NPW has cleared weeds and invasive species, restored two of the spring-fed lo‘i, build a greenhouse for native plant propagation, and established a community garden. Hundreds of Maui’s youth and their families have participated in NPW’s programs and benefited from the services these programs provided. DHHL plans to partner with NPW to manage and steward the Paukūkalo Coastal Wetland property. With DHHL’s acquisition of the 64-acre property, NPW’s programs and services could potentially be expanded on the property. This would likely include additional clearing and removal of invasive weeds and plants, restoration of springs and wetland areas, re-planting of native trees and plants, and restoration of additional lo‘i. All clearing and invasive species removal has been done by hand tools to avoid disruption of cultural sites. NPW has also completed burial treatment plans and has obtained a Special Management Area Permit for its programs at the property.

NPW has several staff that oversee the Cultural Strengthening Program and that manage the Paukūkalo property including a Cultural Strengthening Program Director, Cultural Strengthening Program Manager, a Site Manager and an Assistant Site Manager.

Coastal and beach access would continue to be provided by the property for customary and traditional uses such as fishing, diving, swimming, gathering of marine resources, and surfing.

The Maui County Department of Parks and Recreation has also expressed its strong interest in partnering in this project.

Long-term plans and uses of the property would be determined through DHHL’s planning efforts with the Hawaiian homesteads and neighboring communities. There are no commercial uses currently being planned for the property.

Section I. Cultural and Historical Significance

4. Briefly describe the cultural significance and historic uses of the property. As guidance, please consider the following information:

- a. Name of area; translation and possible interpretation;**
- b. Known pre-contact history and land uses; and**
- c. Neighboring areas/ahupua`a information and its relationship to the site being considered.**

The area where the property is located is known as Paukūkalo. Paukūkalo is an 'ili within the ahupua`a of Wailuku and Wai`ehu. Paukūkalo can be translated as "section of kalo." This is likely a reference to the numerous lo'i, which once filled the lands of Paukūkalo.

Paukūkalo is in the ahupua`a of Wailuku. Wailuku can be translated as "waters of slaughter." This is likely a reference to the battle of Kepaniwai in the area of Wailuku, where Kamehameha's forces met the forces of Maui under Kalanikūpule, and there was a great slaughter. The bodies of the Maui warriors dammed the waters of the 'Īao Stream, and so the battle was called Kepaniwai, or the damming of the waters.

Paukūkalo is also bordered by the ahupua`a of Wai`ehu. Wai`ehu can be translated as "water spay," as is likely a reference to the spray caused by the Wai`ehu Stream.

It should be noted that these streams, 'Īao and Wai`ehu both border the subject property. Both of these streams are also extremely significant in that they are two of the four famous streams referred to as Nā Wai 'Ehā, or "The Four Waters." These four streams and the districts they supported, Wailuku, Wai`ehu, Waihe'e, and Waikapū, make up the largest continuous area of wetland taro cultivation in Hawai'i. These lands were the seat of power of the Maui Kingdom, and were highly sought after and fought over by the ruling chiefs of each of the island kingdoms.

According to the Cultural Impact Assessment done by Kalei Tsuha, the area of Paukūkalo was traditionally an area reserved for the ali'i (chiefs), kahuna nui (high priests), pu'ali (warriors), and was the centralized area that a majority of the political and religious activities occurred. This is confirmed by numerous references to Paukūkalo, Wailuku, and Wai`ehu in the histories, legends, and traditions of the Hawaiian people.

In an article in the May 25, 1865 Hawaiian language newspaper the Kū'oko'a written by Ka'awa, he named several heiau of Hawai'i including a heiau named Malaehaakoia in Paukūkalo. Two of the temples of the Maui Kingdom were also located in Paukūkalo and today remain as a State Monument. These heiau are Haleki'i and Pihana.

Samuel Kamakau wrote that Kahekili, the ruling chief of Maui lived at Paukūkalo and Wailuku with his chiefs, companions, favorites, and two regiments of warriors, the Kaniu'ula and Kepo'ouahi.

In the book Ruling Chiefs, Kamakau writes that shortly after the battle of Kepaniwai at 'Īao, where Kalanikūpule's forces were routed by Kamehameha and his warriors,

Kā'eokūlani, the ruling chief of Kaua'i decided to go to war against Kamehameha. While on his way he met with Kahekili, who was at the time the ruling chief of Maui, Moloka'i, Lāna'i, and O'ahu, and convinced him to join him at war against Kamehameha. On their way to Hawai'i, the armies camped at Wailuku. While on Maui, Kahekili gave some of the land to the Kaua'i chiefs, and Wai'ehu was given to Ki'iki'i. This is said to have caused discontent among the Maui chiefs and a battle was fought at Paukūkalō. As with other cultures, historic battlefields are sacred in Hawaiian culture.

The coastal location of the property and proximity to the popular surf spots directly off shore also attest to the historical and cultural significance of the property. Surfing has long been a popular sport of the ruling chiefs of Hawai'i. Indeed, it is the Hawaiians who invented the sport of surfing. Kamakau named the favorite surf sport of the chiefs of these areas of Nā Wai 'Ehā. The wave of Kēhu and Ka'ākau was the favorite of the chiefs of Wailuku. The wave of Niukūkahi and 'A'awa was the favorite of the chiefs of Wai'ehu and Nāpoko. Pala'ie and Kahahawai were the favorites of the chiefs of Waihe'e.

According to an Archaeological Inventory Survey conducted by Archaeological Services Hawaii, there were 41 archaeological sites identified on the property. These sites include lo'i terraces, 'auwai, habitation sites, walls and enclosures, a possible remnant of a fishpond, and burials. The property continues to be important and significant for the continuation of customary and traditional fishing and gathering practices of Hawaiians and of families that continue to access the ocean and have been living in the area for generations. Kūpuna of the area recall when the area was full of cultivated taro fields.

In traditional times the property contained extensive taro fields and fishponds. Located within Nā Wai 'Ehā, this was once the largest continuous area of wetland lo'i in the islands. The Neighborhood Place of Wailuku (NPW) has restored two of the spring fed taro lo'i on the area, which they currently lease. NPW has a native plant nursery and has established a community garden area to teach subsistence farming to area youth and families. With the recent ruling in the Na Wai 'Eha case, additional water will be restored to the 'Iao and Wai'ehu Streams, providing additional opportunity to restore the lo'i terraces and once again provide for food and sustenance for the people in the community.

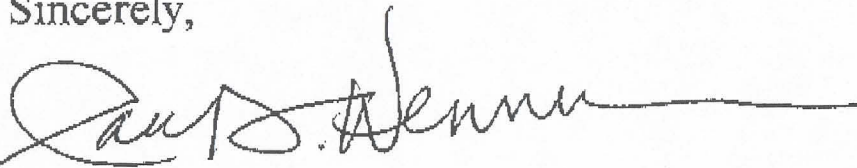
April 29, 2009

Kawika Burgess
The Trust for Public Land
212 Merchant St. Suite 320
Honolulu, HI 96813

Dear Kawika,

North Shore at Waiehu, LLC, is the owner of approximately 64 acres located in Paukūkalo, Wailuku in Maui County. North Shore at Waiehu, LLC, has begun preliminary discussions with The Trust for Public Land regarding the sale of the property through its consultant realtor Charles Turbak. If an acceptable price can be negotiated, North Shore at Waiehu, LLC, would be a willing seller of the land.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul F. Wenner", with a long horizontal flourish extending to the right.

Paul F. Wenner
Manager, North Shore at Waiehu
808-283-1481

PRELIMINARY REPORT
(No Liability Hereunder)

This report (and any revisions thereto) is issued solely for the convenience of the titleholder, the titleholder's agent, counsel, purchaser or mortgagee, or the person ordering it for the purpose of facilitating the issuance of a policy of title insurance by Title Guaranty of Hawaii and no liability will arise under this report.

SCHEDULE A

Title Guaranty of Hawaii, Incorporated, hereby reports that, subject to those matters set forth in Schedule "B" hereof, the title to the estate or interest to the land described in Schedule "C" hereof is vested in:

NORTH SHORE AT WAIEHU, LLC,
a Hawaii limited liability company,
as Fee Owner

This report is dated as of May 4, 2009 at 8:00 a.m.

Inquiries concerning this report
should be directed to
LESLIE BALMILERO.
Email lbalmilero@tghawaii.com
Fax (808) 521-0287
Telephone (808) 533-5869.
Refer to Order No. 200923552.

**SCHEDULE B
EXCEPTIONS**

1. Real Property Taxes, if any, that may be due and owing.

Tax Key: (2) 3-3-001-001 Area Assessed: 63.701 acres

Land Classification: UNIMPROVED RESIDENTIAL

2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. Location of the seaward boundary in accordance with the laws of the State of Hawaii and shoreline setback line in accordance with County regulation and/or ordinance.

4. GRANT

TO : MRS. IWA SCHOLTZ BETTS

DATED : May 8, 1951

RECORDED : Liber 2491 Page 159

GRANTING : a perpetual easement for roadway (30-feet wide) for use by the Grantee, her heirs and assigns, in common with the Grantor, its agents, employees, and assigns, at all times and for all purposes extending from the Paukukalo Road across the land of the Grantor, more particularly described as follows:

All of that certain parcel of land (being portion of the land described in and covered by Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Paukukalo, District of Wailuku, Island and County of Maui, State of Hawaii, being a ROADWAY (30-FEET WIDE), described as follows:

Beginning at a 3/4" pipe in concrete at the northwesterly corner of this road right-of-way, on the northeasterly side of the Paukukalo Road, the coordinates of which point of beginning referred to Government Survey Triangulation Station "LUKE" being 10,376.87 feet north and 1,975.22 feet east and running by azimuths measured clockwise from true South:

SCHEDULE B CONTINUED

- | | | | |
|----|----------|--------|---|
| 1. | 239° 48' | 316.80 | feet along Wailuku Sugar Company's remaining portion of Grant 3343 to a 3/4" pipe in concrete; |
| 2. | 329° 48' | 30.00 | feet along the same to a concrete monument at the northeasterly corner of Iwa S. Betts' lot; |
| 3. | 59° 48' | 321.21 | feet along the same to a 3/4" pipe in concrete; |
| 4. | 158° 10' | 30.32 | feet along the northeasterly side of the Paukukalo Road right-of-way to the point of beginning and containing an area of 9,570 square feet, more or less. |
5. Perpetual non-exclusive easement for ingress and egress over and across 40-FOOT ROAD RESERVE ("KUKONA PLACE"), appurtenant to parcel of land designated as Tax Key (2) 3-3-001-051 as granted to MARY N. KAMAKAU by Exchange Deed dated May 11, 1953, recorded in Liber 2703 at Page 440.
6. RESTRICTION OF VEHICLE ACCESS into and from Waiehu Beach Road, Federal Aid Secondary Project No. S-0341(2), (Paukukalo Road Widening) along portion of the westerly boundary of the land described in Schedule C (Boundary "G" and "E") as set forth in FINAL ORDER OF CONDEMNATION had in Civil No. 879, Circuit Court of the Second Circuit, State of Hawaii, dated March 14, 1974 and recorded in Liber 9903 at Page 379.

SCHEDULE B CONTINUED

7. GRANT

TO : EDWARD KALUAU and MAE R. KALUAU, husband and wife,
as Tenants by the Entirety

DATED : March 27, 1975

RECORDED : Liber 10624 Page 409

GRANTING : a non-exclusive easement twelve (12) feet wide for
roadway purposes, appurtenant to Tax Key (2) 3-3-
001-024 over and across the following described
parcel of land:

All of that certain parcel of land (being portion of the land described in and covered by Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Paukukalo, District of Wailuku, Island and County of Maui, State of Hawaii, and more particularly described as follows:

Being a strip of land twelve (12.00) feet wide and extending six (6.00) feet on each side of the following described centerline:

Beginning at a point being the westerly end of said centerline and on the easterly boundary line of Kaae Road (30.00 feet wide), formerly known as Paukukalo Road, the field coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 9,948.00 feet north and 2,635.29 feet east and running by azimuths measured clockwise from true South:

1. Along the centerline of an existing dirt road to a point
(being over and across a portion
of Grant 3343 to Claus
Spreckels), the direct azimuth
and distance to said point
being:

243° 15' 74.00 feet;

2. Along the same to a point, the direct azimuth and distance to
said point being:

257° 15' 184.00 feet;

SCHEDULE B CONTINUED

3. Along the same to a point, the direct azimuth and distance to said point being:

268° 07' 139.00 feet;

4. Along the same to a point, the direct azimuth and distance to said point being:

275° 30' 178.00 feet;

5. Along the same to a point, the direct azimuth and distance to said point being:

230° 55' 170.00 feet;

6. Along the same to a point, the direct azimuth and distance to said point being:

207° 07' 120.78 feet;

7. Along the same to a point on the boundary line of R. P. 4256, L. C. Aw. 3234-C:2 to Kaianui, being also a point at the centerline of an existing ten (10.00) foot wide roadway, the direct azimuth and distance to said point being:

145° 17' 7.54 feet and containing an area of 10,480 square feet, more or less.

SCHEDULE B CONTINUED

8. GRANT

TO : CATALINO B. ANTONIO and HANNAH R. ANTONIO, husband and wife, as Tenants by the Entirety

DATED : October 28, 1976

RECORDED : Liber 11774 Page 21

GRANTING : a non-exclusive easement twelve (12) feet wide for roadway purposes, appurtenant to Tax Key (2) 3-3-001-023, over and across the following described property:

All of that certain parcel of land (being portion of the land described in and covered by Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Paukukalo, District of Wailuku, Island and County of Maui, State of Hawaii, being a TWELVE-FOOT WIDE EASEMENT following an existing dirt road called KA'AE PLACE, running between a public road, Ka'ae Road, and the lands of Mr. Catalino Antonio, Sr., and more particularly described as follows:

Beginning at a found 3/4" pipe at the southwesterly most corner of the Antonio property, being also the southeasterly most corner of the lands of Kimiyo Sakai, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 10,067.93 feet north and 2,956.37 feet east and running by azimuths measured clockwise from true South:

- | | | | |
|----|----------|--------|--|
| 1. | 280° 25' | 15.23 | feet along the lands of Catalino Antonio to a point; |
| 2. | 48° 26' | 71.67 | feet along and over the lands of Wailuku Sugar Company to a point; |
| 3. | 88° 07' | 35.40 | feet along same to a point; |
| 4. | 77° 15' | 182.11 | feet along same to a point; |
| 5. | 63° 15' | 73.71 | feet along same to a point on the east side of said Ka'ae Road; |

SCHEDULE B CONTINUED

6.	143° 32'	6.09	feet along the east side of said Ka'ae Road to a point;
7.	143° 32'	6.09	feet along same to a point;
8.	243° 15'	74.29	feet along and over the lands of the Wailuku Sugar Company to a point;
9.	257° 15'	185.31	feet along same to a point;
10.	268° 07'	32.96	feet along same to a point;
11.	228° 26'	59.72	feet along same to the point of beginning and containing an area of 4,123 square feet, more or less.

9. GRANT

TO : STATE OF HAWAII, by its DEPARTMENT OF HAWAIIAN HOME LANDS

DATED : November 6, 1978

RECORDED : Liber 13302 Page 793

GRANTING : non-exclusive easement for drainage purposes, in, over, under and across the land owned by Grantor described as follows:

All of that certain parcel of land (being portions of the lands described in and covered by Royal Patent Grant Number 3343 to Claus Spreckels; Royal Patent Number 6293, Land Commission Award Number 3253 to Hiona and Royal Patent Number 7184, Land Commission Award Number 1759, Apana 9 to Kaupa) situate, lying and being at Paukukalo, District of Wailuku, Island and County of Maui, State of Hawaii, being EASEMENT "A", described as follows:

SCHEDULE B CONTINUED

Beginning at the south corner of this easement and on the easterly side of Waiehu Beach Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 10,371.87 feet north and 2,046.10 feet east, thence running by azimuths measured clockwise from true South:

1.	150°	09'	30"	40.00	feet along the easterly side of Waiehu Beach Road;
2.	239°	48'		58.06	feet along the remainder of Grant 3343 to Claus Spreckels;
3.	233°	57'		98.21	feet along the remainder of Grant 3343 to Claus Spreckels;
4.	239°	48'		102.05	feet along the remainders of Grant 3343 to Claus Spreckels and R. P. 6293, L. C. Award 3253 to Hiona;
5.	329°	48'		20.00	feet along the remainder of R. P. 6293, L. C. Award 3253 to Hiona;
6.	239°	48'		274.09	feet along the remainders of R. P. 6293, L. C. Award 3253 to Hiona and R. P. 7184, L. C. Award 1759, Ap. 9 to Kaupa;
7.	252°	15'	30"	89.57	feet along the remainders of R. P. 7184, L. C. Award 1759, Ap. 9 to Kaupa and Grant 3343 to Claus Spreckels;
8.	265°	30'		51.16	feet along the remainder of Grant 3343 to Claus Spreckels;

SCHEDULE B CONTINUED

9. Thence along the remainder of Grant 3343 to Claus Spreckels on a curve to the left with a radius of 194.00 feet, the chord azimuth and distance being:

245° 45'	131.11	feet;
----------	--------	-------
10. 226° 00' 93.00 feet along the remainder of Grant 3343 to Claus Spreckels;
11. Thence along highwater mark at seashore, the direct azimuth and distance between points on said highwater mark at seashore being:

293° 00'	54.31	feet;
----------	-------	-------
12. 46° 00' 114.22 feet along the remainder of Grant 3343 to Claus Spreckels;
13. Thence along the remainder of Grant 3343 to Claus Spreckels on a curve to the right with a radius of 244.00 feet, the chord azimuth and distance being:

65° 45'	164.90	feet;
---------	--------	-------
14. 85° 30' 49.00 feet along the remainder of Grant 3343 to Claus Spreckels;
15. 175° 30' 10.00 feet along the remainder of Grant 3343 to Claus Spreckels;
16. 85° 30' 83.71 feet along the remainder of Grant 3343 to Claus Spreckels;

SCHEDULE B CONTINUED

17.	59° 48'	370.72	feet along the remainder of Grant 3343 to Claus Spreckels;
18.	53° 57'	98.21	feet along the remainder of Grant 3343 to Claus Spreckels;
19.	59° 48'	60.36	feet along the remainder of Grant 3343 to Claus Spreckels to the point of beginning and containing an area of 33,584 square feet, more or less.

10. GRANT

TO : CASEY J. DEL DOTTO and CHRISTINA MAY ANN DEL DOTTO, husband and wife, as Tenants by the Entirety

DATED : December 27, 1978

RECORDED : Liber 13397 Page 264

GRANTING : non-exclusive easement twelve (12) feet wide for roadway purposes, appurtenant to Tax Key (2) 3-3-001-025 upon and across the following described property:

All of that certain parcel of land (being portion of the land described in and covered by Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Paukukalo, District of Wailuku, Island and County of Maui, State of Hawaii, and more particularly described as follows:

Being a strip of land twelve (12.00) feet wide and extending six (6.00) feet on each side of the following described centerline:

Beginning at a point being the westerly end of said centerline and on the easterly boundary line of Kaae Road (30.00 feet wide), formerly known as Paukukalo Road, the field coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 9,948.00 feet north and 2,635.29 feet east and running by azimuths measured clockwise from true South:

SCHEDULE B CONTINUED

1. Along the centerline of an existing dirt road to a point
(being over and across a
portion of Grant 3343 to Claus
Spreckels), the direct azimuth
and distance to said point
being:

243° 15' 74.00 feet;

2. Along the same to a point, the direct azimuth and distance to
said point being:

257° 15' 184.00 feet;

3. Along the same to a point, the direct azimuth and distance to
said point being:

268° 07' 139.00 feet;

4. Along the same to a point, the direct azimuth and distance to
said point being:

275° 30' 178.00 feet;

5. Along the same to a point, the direct azimuth and distance to
said point being:

230° 55' 170.00 feet;

6. Along the same to a point, the direct azimuth and distance to
said point being:

207° 07' 120.78 feet;

7. Along, over and across the same to a point, the direct
azimuth and distance to said
point being:

145° 17' 1.54 feet;

SCHEDULE B CONTINUED

8. Along, over and across the same, being also 6.00 feet offset southerly and parallel with Tax Map Parcel 3-3-01:25, to a point at the easterly end of this easement, the direct azimuth and distance being:

235° 33' 100.60 feet and containing an area of 11,615 square feet, more or less.

11. GRANT

TO : MAUI ELECTRIC COMPANY, LIMITED and GTE HAWAIIAN TELEPHONE COMPANY INCORPORATED, now known as HAWAIIAN TELCOM, INC.

DATED : January 5, 1987

RECORDED : Liber 20331 Page 23

GRANTING : a perpetual right and easement for utility purposes as shown on map attached thereto

12. GRANT

TO : KIMIYO JEANETTE SAKAI, widow

DATED : May 14, 1990

RECORDED : Document No. 90-070775

GRANTING : a non-exclusive easement for access purposes in favor of Tax Key (2) 3-3-001-017 over and across the following described parcel of land:

EASEMENT
FOR ACCESS PURPOSE

In favor of Parcel 17 of Tax Map Key 3-3-01
Paukukalo, Wailuku, Maui, Hawaii

SCHEDULE B CONTINUED

A 12 feet wide easement for access purposes in favor of Parcel 17 of Tax Map Key 3-3-01, a portion of Grant 3343 to Claus Spreckels, situate at the north side of an existing dirt road called Ka'ae Place at Paukukalo, Wailuku, Island and County of Maui, State of Hawaii and more particularly described as follows:

Beginning at a set 1/2 inch pipe at the northwesterly corner of this easement and the southernmost corner of Parcel 17 of Tax Map Key 3-3-01 owned by Kimiyo Sakai, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 10,035.97 feet north and 2,841.64 feet east and running by azimuths measured clockwise from true South:

- | | | | |
|----|----------|--------|--|
| 1. | 254° 26' | 12.01 | feet along Parcel 17 of TMK: 3-3-01 owned by Kimiyo Sakai to a point; |
| 2. | 347° 15' | 29.31 | feet over and across portion of Grant 3343 to Claus Spreckels to a point; |
| 3. | 77° 15' | 161.58 | feet along the south side of existing dirt road called Ka'ae Place to a point; |
| 4. | 63° 15' | 72.23 | feet along the same to a point; |
| 5. | 143° 32' | 12.17 | feet along the east side of Ka'ae Road to a point; |
| 6. | 243° 15' | 75.77 | feet along the north side of Ka'ae Place to a point; |
| 7. | 251° 15' | 183.31 | feet along the same to a point; |
| 8. | 167° 15' | 16.72 | feet over and across portion of Grant 3343 to Claus Spreckels to the point of beginning and containing an area of 3,039 square feet, more or less. |

SCHEDULE B CONTINUED

13. LICENSE

TO : JEFFREY BUCHWALD

DATED : February 18, 2000

RECORDED : Document No. 2000-026587

GRANTING : a non-exclusive road easement over Owner's Road entering from Waiehu Beach Road and going to Occupier's property in Waiehu, Maui as shown on map attached thereto

14. The terms and provisions contained in the following:

INSTRUMENT : QUITCLAIM DEED

DATED : March 9, 2001

RECORDED : Document No. 2001-032727

The foregoing includes, but is not limited to, matters relating to all water and water rights, unrestricted rights in regards to agricultural operations and watercourse easement.

ASSIGNMENT OF IN GROSS RESERVATIONS dated effective October 1, 2005, recorded as Document No. 2005-229077, by and between WAILUKU AGRIBUSINESS CO., INC., a Hawaii corporation, as Assignor, and WAILUKU WATER COMPANY, LLC, a Hawaii limited liability company, doing business as Wailuku Water Company, as Assignee, sold, assigned, transferred and set over "all 'in gross' reservations and grants, personal to Assignor relating to real properties more particularly described on Exhibit 'A' attached hereto and by this reference incorporated herein."

15. Matters arising out of, including any utility and access rights in favor of those parcels located within the boundaries of the land described in Schedule C.

SCHEDULE B CONTINUED

16. GRANT

TO : MAUI ELECTRIC COMPANY, LIMITED and GTE HAWAIIAN
TELEPHONE COMPANY INCORPORATED now known as
HAWAIIAN TELCOM, INC.

DATED : May 7, 2003

RECORDED : Document No. 2003-116678

GRANTING : perpetual right and easement to build, construct,
reconstruct, rebuild, repair, maintain and operate
pole and wire lines and underground power lines,
etc. over, across, through and under the following
described parcel of land:

All of that certain parcel of land being a portion of Tax Map Key
(2) 3-3-001, being a portion of Grant 3343 to Claus Spreckels,
situated at Paukukalo, Wailuku, Island and County of Maui, State
of Hawaii and being more particularly described as follows:

Beginning at a P.K. nail with shiner set in the base of an
existing concrete block wall at the southerly corner of this
easement, said point also being the south corner of Parcel 1 and
the east corner of Lot 2 of the subdivision of Royal Patent 4256,
Land Commission Award 3234-C, Apana 2 to Kaianui, the coordinates
of said point of beginning referred to Government Survey
Triangulation Station "LUKE" being 10,287.46 feet north and
3,462.34 feet east and running by azimuths measured clockwise
from true South:

- | | | | | | |
|----|------|-----|-----|--------|--|
| 1. | 225° | 44' | 40" | 3.49 | feet along said Parcel 3 of Tax
Map Key (2) 3-3-001, along
Royal Patent 5150, Land
Commission Award 3386, Apana 1
to Pehuino to a 3/4 inch pipe; |
| 2. | 198° | 10' | 00" | 293.00 | feet along same to a 3/4 inch
pipe; |
| 3. | 198° | 10' | 00" | 4.62 | feet along the remainders of
said Parcel 1 of Tax Map Key
(2) 3-3-001 and said Grant 3343
to Claus Spreckels; |

SCHEDULE B CONTINUED

Thence along the remainders of said Parcel 1 of Tax Map Key (2) 3-3-001 and said Grant 3343 to Claus Spreckels on the arc of a curve to the left, concave southwesterly with a radius of 187.00 feet, the chord azimuth and distance being:

4.	133°	05'	32"	159.00	feet to a 3/4 inch pipe at the north corner of said Parcel 3 of Tax Map Key (2) 3-3-001 and said Royal Patent 5150, Land Commission Award 3386, Apana 1 to Pehuino;
5.	52°	45'	00"	207.20	feet along said Parcel 3 of Tax Map Key (2) 3-3-001, along said Royal Patent 5150, Land Commission Award 3386, Apana 1 to Pehuino to a 3/4 inch pipe;
6.	137°	57'	00"	18.50	feet along same to a found 1/2 inch pipe set in concrete;
7.	61°	59'	00"	50.63	feet along same;
8.	151°	59"	00"	12.00	feet along the remainders of said Parcel 1 of Tax Map Key (2) 3-3-001 and said Grant 3343 to Claus Spreckels;
9.	241°	59'	00"	60.00	feet along same;
10.	317°	57'	00"	3.04	feet along same;

SCHEDULE B CONTINUED

Thence along the remainders of said Parcel 1 of Tax Map Key (2) 3-3-001 and said Grant 3343 to Claus Spreckels on the arc of a curve to the left, concave northerly with a radius of 15.00 feet the chord azimuth and distance being:

11. 275° 21' 00" 20.31 feet;

12. 232° 45' 00" 182.37 feet along the remainders of said Parcel 1 of Tax Map Key (2) 3-3-001 and said Grant 3343 to Claus Spreckels;

Thence along the remainders of said Parcel 1 of Tax Map Key (2) 3-3-001 and said Grant 3343 to Claus Spreckels on the arc of a curve to the right, concave southerly with a radius of 12.00 feet, the chord azimuth and distance being:

13. 260° 20' 30" 11.12 feet to a point of compound curvature;

Thence along the remainders of said Parcel 1 of Tax Map Key (2) 3-3-001 and said Grant 3343 to Claus Spreckels on the arc of a curve to the right, concave southwesterly with a radius of 199.00 feet, the chord azimuth and distance being:

14. 313° 43" 40" 173.19 feet;

15. 18° 10' 00" 304.85 feet along the remainders of said Parcel 1 of Tax Map Key (2) 3-3-001 and said Grant 3343 to Claus Spreckels;

SCHEDULE B CONTINUED

16. 45° 44' 40" 8.45 feet along same;
17. 145° 17' 00" 12.17 feet along same to the point of
beginning and containing an
area of 9,151 square feet or
0.210 acre, more or less.

17. GRANT

TO : MARK KARREN TRACY and CARLA VALARIK TRACY, husband
and wife, as Joint Tenants
DATED : May 7, 2003
RECORDED : Document No. 2003-116680
GRANTING : easements for access and utility purposes extending
from Kaae Road up to and adjoining the southernmost
corner of Grantee's parcel, as described therein

18. GRANT

TO : GARY JOSEPH RYAN, unmarried
DATED : April 7, 2004
RECORDED : Document No. 2004-079678
GRANTING : an exclusive easement for ingress and egress
purposes being more particularly described therein

19. The terms and provisions contained in the following:

INSTRUMENT : OPTION AGREEMENT

DATED : April 7, 2004
RECORDED : Document No. 2004-079679
PARTIES : NORTH SHORE AT WAIEHU, LLC, a Hawaii limited
liability company, and GARY JOSEPH RYAN, unmarried

SCHEDULE B CONTINUED

20. REAL PROPERTY MORTGAGE AND FINANCING STATEMENT

MORTGAGOR : NORTH SHORE AT WAIEHU, LLC, a Hawaii limited
liability company

MORTGAGEE : BELLEVUE CAPITAL MANAGEMENT INC., a Delaware
corporation, doing business as CALIFORNIA MORTGAGE
AND REALTY, INC.

DATED : May 10, 2004

RECORDED : Document No. 2004-101034

AMOUNT : \$330,000.00

ABOVE MORTGAGE BY MESNE ASSIGNMENTS ASSIGNED

TO : CMR INCOME FUND, LLC

DATED : May 24, 2004

RECORDED : Document No. 2004-121986

21. MORTGAGE

LOAN/ACCOUNT NO. 12067732

MORTGAGOR : PAUL F. WENNER, an unmarried man

MORTGAGEE : MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,
solely as nominee for CHEVY CHASE BANK, F.S.B., a
federally chartered savings bank organized and
existing under the laws of the United States of
America

DATED : February 23, 2005

RECORDED : Document No. 2005-042187

AMOUNT : \$1,450,000.00

ABOVE MORTGAGE ASSIGNED

TO : CHEVY CHASE BANK, FSB

DATED : March 30, 2009

RECORDED : Document No. 2009-053905

SCHEDULE B CONTINUED

22. SECOND MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT, FINANCING STATEMENT AND FIXTURE FILING

MORTGAGOR : PAUL F. WENNER, unmarried

MORTGAGEE : BRADLEY K. MILLER and NANCY J. MILLER

DATED : April 26, 2005

RECORDED : Document No. 2005-085381

AMOUNT : \$275,000.00

23. FINANCING STATEMENT

DEBTOR : PAUL F. WENNER

SECURED

PARTY : BRADLEY K. MILLER

RECORDED : Document No. 2005-085382

RECORDED ON: April 29, 2005

24. SECOND SUPPLEMENTAL UNILATERAL AGREEMENT dated May 14, 2003, recorded as Document No. 2003-091382 by HAWAII LAND & FARMING COMPANY, INC., a Delaware corporation. Said Agreement was amended by AMENDMENT TO SECOND SUPPLEMENTAL UNILATERAL AGREEMENT dated -----, 2006 (acknowledged January 11, 2006), recorded as Document No. 2006-037109.

SCHEDULE B CONTINUED

25. NOTICE OF PENDENCY OF ACTION

PLAINTIFF : ROBIN WILLIAMS (Attorney(s) - Kevin H.S. Yuen)
DEFENDANT : PAUL F. WENNER and GIOVANNI ROSATI
DATED : March 20, 2008
FILED : Circuit Court of the Second Circuit, State of
Hawaii, Case No. 08-1-0148(3), on March 20, 2008
RECORDED : Document No. 2008-052479 on April 4, 2008

26. The terms and provisions contained in the following:

INSTRUMENT : OPTION AGREEMENT
DATED : September 12, 2008
RECORDED : Document No. 2008-165860
PARTIES : NORTH SHORE AT WAIEHU, LLC, a Hawaii limited
liability company, "Grantor", and MANUEL FAUSTINO,
"Grantee"

27. GRANT

TO : MANUEL FAUSTINO
DATED : September 12, 2008
RECORDED : Document No. 2008-165861
GRANTING : an exclusive easement for ingress and egress over
Easement "U-3", being more particularly described
therein

SCHEDULE B CONTINUED

28. The terms and provisions contained in the following:

INSTRUMENT : OPTION AGREEMENT

DATED : September 12, 2008
RECORDED : Document No. 2008-169323
PARTIES : NORTH SHORE AT WAIEHU, LLC, a Hawaii limited
liability company, "Grantor", and WILLEM VAN DER
LEE and MARIS C. VAN DER LEE, husband and wife,
"Grantee"

29. GRANT

TO : WILLEM VAN DER LEE and MARIS C. VAN DER LEE,
husband and wife

DATED : August 13, 2008
RECORDED : Document No. 2008-169324
GRANTING : an exclusive easement for ingress and egress
purposes being more particularly described therein

30. ORDER GRANTING DEFENDANTS/COUNTERCLAIMANTS PAUL F. WENNER AND
NORTH SHORE AT WAIEHU, LLC'S MOTION TO EXPUNGE NOTICE OF PENDENCY
OF ACTION

DATED : March 17, 2009
FILED : Circuit Court of the Second Circuit, State of
Hawaii, Case No. 08-1-0148(3), on March 18, 2009
RECORDED : Document No. 2009-047227 on March 30, 2009
RE : Expunge Notice of Pendency of Action filed January
15, 2009, recorded as Document No. 2005-052479

SCHEDULE B CONTINUED

31. NOTICE OF PENDENCY OF ACTION

PLAINTIFF : CHEVY CHASE BANK, FSB

DEFENDANT : NORTH SHORE AT WAIEHU, LLC, et al.

DATED : March 30, 2009

FILED : Circuit Court of the Second Circuit, State of
Hawaii, Case No. 09-1-0247(2), on April 1, 2009

RECORDED : Document No. 2009-050337 on April 3, 2009

RE : Foreclosure of Mortgage dated February 23, 2005,
recorded as Document No. 2005-042187

32. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other matters which a correct survey or archaeological study would disclose.

-Note:- A current survey, with metes and bounds description, should be made of said premises.

33. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.

34. Any unrecorded leases and matters arising from or affecting the same.

35. Any lien (or claim of lien) for services, labor or material arising from an improvement or work related to the land described in Schedule C herein.

END OF SCHEDULE B

SCHEDULE C

All of that certain parcel of land (being portion of the land described in and covered by Royal Patent Number (None), Land Commission Award Number 8559-B, Apana 20 to Wm. C. Lunaililo; Royal Patent Grant Number 3343 to Claus Spreckels; being all of Apana 3 of Royal Patent Number 6092, Land Commission Award Number 3441 to Kapaula; all of Apana 9 of Royal Patent Number 7184, Land Commission Award Number 1759 to Kaupa; portion of Royal Patent Number 6293, Land Commission Award Number 3253 to Hiona; portion of Royal Patent Number 7433, Land Commission Award Number 7742, Apana 4 to Kahale; portion of Royal Patent Number 5069, Land Commission Award Number 11171 to Kalaikoa; and all of Apana 2 of Royal Patent Number 6164, Land Commission Award Number 2447 to Kaawa) situate, lying and being at Waiehu and Paukukalo, District of Wailuku, Island and County of Maui, State of Hawaii, bearing Tax Key designation (2) 3-3-001-001 and containing an area of 63.701 acres, more or less.

BEING THE PREMISES ACQUIRED BY QUITCLAIM DEED

GRANTOR : PAUL F. WENNER, unmarried
GRANTEE : NORTH SHORE AT WAIEHU, LLC, a Hawaii limited liability company
DATED : April 26, 2005
RECORDED : Document No. 2005-114608

END OF SCHEDULE C

GENERAL NOTES

1. There is hereby omitted from any covenants, conditions and reservations contained herein any covenant or restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. Lawful restrictions under state or federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

GUIDELINES FOR THE ISSUANCE OF INSURANCE

- A. Taxes shown in Schedule B are as of the date such information is available from the taxing authority. Evidence of payment of all taxes and assessments subsequent to such date must be provided prior to recordation.
 - B. Evidence of authority regarding the execution of all documents pertaining to the transaction is required prior to recordation. This includes corporate resolutions, copies of partnership agreements, powers of attorney and trust instruments.
 - C. If an entity (corporation, partnership, limited liability company, etc.) is not registered in Hawaii, evidence of its formation and existence under the laws where such entity is formed must be presented prior to recordation.
 - D. If the transaction involves a construction loan, the following is required:
 - (1) a letter confirming that there is no construction prior to recordation; or
 - (2) if there is such construction, appropriate indemnity agreements, financial statements and other relevant information from the owner, developer, general contractor and major sub-contractors must be submitted to the Title Company for approval at least one week prior to the anticipated date of recordation.
- Forms are available upon request from Title Guaranty of Hawaii.
- E. Chapter 669, Hawaii Revised Statutes, sets forth acceptable tolerances for discrepancies in structures or improvements relative to private property boundaries for various classes of real property. If your survey map shows a position discrepancy that falls within the tolerances of Chapter 669, call your title officer as affirmative coverage may be available to insured lenders.
 - F. The right is reserved to make additional exceptions and/or requirements upon examination of all documents submitted in connection with this transaction.
 - G. If a policy of title insurance is issued, it will exclude from coverage all matters set forth in Schedule B of this report and in the printed Exclusions from Coverage contained in an ALTA policy or in the Hawaii Standard Owner's Policy, as applicable. Different forms may have different exclusions and should be reviewed. Copies of the policy forms are available upon request from Title Guaranty of Hawaii or on our website at www.tghawaii.com.

DATE PRINTED: 5/08/2009

STATEMENT OF ASSESSED VALUES AND REAL PROPERTY TAXES DUE

NAME OF OWNER: NORTH SHORE AT WAIEHU LLC
LEASED TO :

TAX MAP KEY

DIVISION ZONE SECTION PLAT PARCEL HPR NO.
(2) 3 3 001 001 0000

CLASS: 8 AREA ASSESSED: 63.701 AC

ASSESSED VALUES FOR CURRENT YEAR TAXES: 2009

This certifies that the records of this division show the assessed values and taxes on the property designated by Tax Key shown above are as follows:

BUILDING	\$	0
EXEMPTION	\$	0
NET VALUE	\$	0
LAND	\$	2,043,900
EXEMPTION	\$	0
NET VALUE	\$	2,043,900
TOTAL NET VALUE	\$	2,043,900

Installment (1 - due 8/20; 2 - due 2/20) Tax Info As Of - 3/31/2009

Tax Year	Installment	Tax Amount	Penalty Amount	Interest Amount	Other Amount	Total Amount	
2008	2	5,467.43	546.74	120.28		6,134.45	DELINQUENT
2008	1	5,467.44	546.74	481.13		6,495.31	DELINQUENT
2007	2	5,467.43				5,467.43	PAID
2007	1	5,467.44				5,467.44	PAID

Total Amount Due: 12,629.76

Penalty and Interest Computed to: 3/31/2009

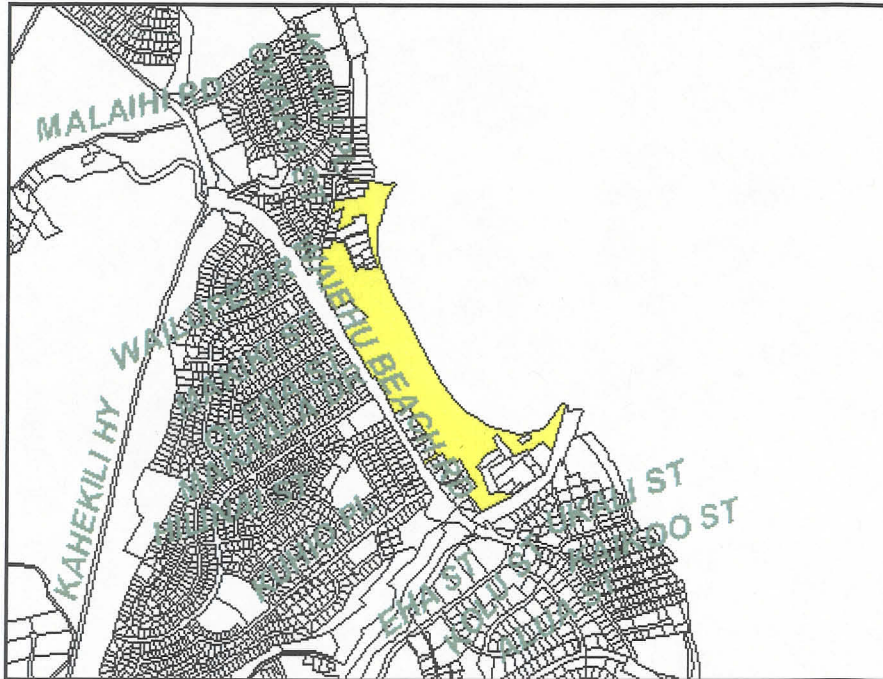
Paukukalo Coastal Wetland General Location Map



Parcel Map

330010010000

WAIIEHU BCH RD.



Maui County





**Paukūkalo Coastal Wetland
Estimated Value**

The 2009 tax assessed value for the Paukūkalo property is \$2,043,900. Clearly Maui, Inc. currently has the property listed for \$5,000,000.

The Trust for Public Land has had discussions with the current landowner of the sale of the property, however, Chevy Chase Bank has filed a complaint to foreclose on the mortgage, and the landowner is not able to commit to an option agreement at this time.

Based on previous sales, the current zoning, and market conditions, we estimate the value to be \$3,000,000. An appraisal to determine fair market value will be completed once The Trust for Public Land has gained site control of the property through an option or sales agreement.

2009 Tax Assessed Value

330010010000

WAIEHU BCH RD.

2009 Assessed Values

Property Class	UNIMPROVED RESIDENTIAL
Land Value	\$2,043,900
Land Exemption	\$0
Net Taxable Land Value	\$2,043,900
Building Value	\$0
Building Exemption	\$0
Net Taxable Building Value	\$0
Total Assessed Value	\$2,043,900
Total Net Taxable Value	\$2,043,900
Homeowner Class	

Real Estate Listing

Brought to you by Clearly Maui Inc

© 2009 RAM



Price: \$5,000,000 Fee Simple

MLS: 337463

Type: Vacant Land

Status: ACTIVE

One of a kind Oceanfront property! Nearly 64 beautiful acres sprawling across Waiehu's shoreline. Rich with culture, this property contains a few different levels of zoning allowing for many possibilities.

Build your dream home and enjoy your own private country estate just steps from shopping, restaurants, and entertainment. Or seclude yourself in some of Hawaii's most tropical, natural landscape and enjoy some of Maui's premiere surf breaks right in our front yard. Breathtaking views of Kahului Harbor, Haleakala, and of course the Pacific Ocean. The sunrises will take your breath away.

District: Wailuku

Address: 0 Waiehu Beach Road

Land Area: 2,774,772 SF

View: Mountain/Ocean

WaterFront: BeachFront

Partial Ownership:

Percentage Ownership:

This property is listed by Island Sotheby's International Realty (W) may represent you as Buyer's Representative.





This information is believed to be accurate.
It has been provided by sources other than the Realtors Assoc. of Maui
and should not be relied upon without independent verification.
You should conduct your own investigation and consult
with appropriate professionals to determine the accuracy of the information provided
and to answer any questions concerning the property and structures located thereon.
Featured properties may or may not be listed by the office/agent presenting this brochure.

Copyright, 1995-2009, REALTORS® Association of Maui, Inc. All Rights Reserved.

THE
TRUST
for
PUBLIC
LAND



TPL NATIONAL MISSION STATEMENT

The Trust for Public Land conserves land for people to enjoy as parks, gardens and other natural places, ensuring livable communities for generations to come.

TPL HAWAII MISSION STATEMENT¹

TPL actively works to conserve the cultural landscape of Hawai'i. Through our projects we seek to engage local communities in protecting native natural and cultural resources. Coastal lands and lands that perpetuate Hawaiian culture are our immediate priority.

¹ This mission statement was developed with the help of the 17-member Hawaiian Islands Advisory Board, including Edwin L. Carter, Jr., Timothy E. Johns, Noa Emmett Aluli, Kimo Campbell, Pamela Wilcox Dohrman, Anthony R. Guerrero, Jr., Louise K.Y. Ing, Jonathan M. McRoberts, John Morgan, Edmund C. Olson, William W. Paty, Jr., William K. Richardson, Michael S. Spalding, Oswald K. Stender, William M. Tam, Laura Thompson, and Carol Wilcox.

Department of the Treasury

District Director

Internal Revenue Service

Date:

JUL 7 1972

In reply refer to:

FL-1257, Code

A:FA1230

SF:EO:72-1129

The Trust for Public Land
35 Humboldt Avenue
San Anselmo, California 94960

Purpose: Charitable

File Returns with Internal Revenue Service Center: Philadelphia, Pennsylvania

Accounting Period Ending: December 31

Address Inquiries to District Director of Internal Revenue: San Francisco, California

Gentlemen:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined you can reasonably be expected to be an organization of the type described in section 509(a)(2). Accordingly, for your first two tax years, you will be treated as an organization which is not a private foundation.

At the end of your first two tax years, however, you must establish with the Internal Revenue Service that for such two years you were in fact an organization of the type described in section 509(a)(2). If you establish this fact with the Service, you will be classified as a section 509(a)(2) organization for all purposes beginning with the first day of your third tax year and you must normally meet the requirements of section 509(a)(2) thereafter. If, however, you do not meet the requirements of section 509(a)(2) for your first two tax years, you will be classified as a private foundation as of the first day of your third tax year. Furthermore, you will be treated as a private foundation as of the first day of your first tax year for purposes of sections 507(d) and 4940.

Grantors and donors may rely on the determination that you are not a private foundation for your first two tax years, unless notice that you will no longer be treated as a section 509(a)(2) organization is published in the Internal Revenue Bulletin. However, a grantor or donor may not rely on such determination if he was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(2) status, or acquired knowledge that the Internal Revenue

Service had given notice that you would be removed from classification as a section 509(a)(2) organization.

You are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. You are not liable for the taxes imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible under sections 2055, 2106, and 2522 of the Code.

If your sources of support, or your purposes, character, or method of operation is changed, you must let us know so we can consider the effect of the change on your status. Also, you must inform us of all changes in your name or address.

If your gross receipts each year are normally more than \$5,000, you are required to file Form 990, Return of Organization Exempt From Income Tax, by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, for failure to file a return on time.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

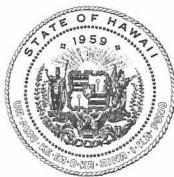
Please keep this determination letter in your permanent records.

Sincerely yours,

Charles E. Keegan
District Director

Our determination letter of June 9, 1972 is modified to conform to this determination.

LINDA LINGLE
GOVERNOR
STATE OF HAWAII



KAULANA H. R. PARK
CHAIRMAN
HAWAIIAN HOMES COMMISSION

ANITA S. WONG
DEPUTY TO THE CHAIRMAN

ROBERT J. HALL
EXECUTIVE ASSISTANT

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879
HONOLULU, HAWAII 96805

September 11, 2009

Legacy Land Conservation Commission
1151 Punchbowl Street, Suite 325
Honolulu, Hawaii 96813

Dear Chair Bonar and Commission Members:

The Department of Hawaiian Home Lands (DHHL) has been in discussions with The Trust for Public Land regarding the 64-acre coastal property located in Paukūkalo, Wailuku, on the island of Maui, adjacent to the Paukūkalo Hawaiian Homestead Community.

If an acceptable agreement can be reached, DHHL would be interested in receiving the fee simple title to the property, and managing the property for its beneficiaries and the community of Maui.

Aloha and mahalo,

Kaulana H.R. Park, Chairman
Hawaiian Homes Commission



September 3, 2009

Legacy Land Conservation Commission
1151 Punchbowl St. Suite 325
Honolulu, HI 96825

Dear Chair Bonar and Commission Members,

The Neighborhood Place of Wailuku (NPW) is a community-based non-profit organization, founded in April 2004 and incorporated in February 2005, with the mission of building strong roots in the 'ohana and in the community by promoting safe and nurturing environments for all members of the families on Maui. NPW currently provides a full range of services to families from *keiki* (infant) to *kūpuna* (grandparent).

Our mission is to prevent child abuse & neglect by building strong roots in the 'ohana and in the community by promoting safe and nurturing environments for our children and families.

NPW currently leases 8 acres of the 64-acre Paukūkalo Coastal Wetland property as a base for our Cultural Strengthening and Land Stewardship Programs. Our goal in the Cultural Strengthening program is to instill hope in families through culturally-based, hands-on activities, that strengthen the family's ability to *ola* (live), honor our culture and adapt to the demands of modern society. Our Land Stewardship Program in Paukūkalo fronting Ka'ehu Bay is a place where community and families can gather to participate in experiential learning opportunities that enhance and promote self-sufficiency and family unity.

Since obtaining the lease to the 8 acres in March of 2006, NPW has done extensive work in caring for and stewarding the land. NPW, through its staff, volunteers, and families that participate in our programs have cleared weeds and invasive species, restored two of the spring-fed *lo'i* on the property, started a native Hawaiian plant nursery as well as a community garden where we teach back yard gardening, self-sufficiency, and food security to our youth and families. NPW has served hundreds of Maui youth and their families on this Paukūkalo property.

NPW strongly supports The Trust for Public Land's application to the Legacy Land Conservation Program requesting funding for the acquisition of the 64-acre Paukūkalo Coastal Wetland by the Department of Hawaiian Homelands (DHHL).

Legacy Land Conservation Commission
September 3, 2009
Page 2

NPW is committed to working with DHHL to provide management and stewardship of the 64-acre property, and continue our Cultural Strengthening and Land Stewardship programs, which serve the youth and families of Paukūkalo as well as the surrounding communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Venus Hill", with a stylized flourish at the end.

Venus Rosete-Hill
Executive Director, Neighborhood Place of Wailuku